IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL REVISION APPLIATION NOS.248, 265 TO 303 OF 1997

Union Of India
Through S.S. Rathore,
Asstt. Commissioner of
Income Tax, TDS Circle ...Petitioner
Aayakar Bhavan,
(Ori.Complainant)
Maharshi Karve Road,
Mumbai:400 020.

V/s.

1.M/s.Gupta Builders
Private Limited, Shop
No.11, Bldg. No.2,
Shroff Market, Gokhale
Road(South),
Dadar, Mumbai:400 028.

2. Inderjit Sharma
(Add:as above)

3. Mrs.Prabha Inderjit Sharma
(Add:as above)

4. Smt.S. Sharma ...Respondents
(Resp.No.4 is deleted Orig.Accd.)
as per court's order
dt.18/07/03)

Shri.H.V. Mehta for the Petitioner.
None for the respondents.

CORAM : V.M. KANADE, J.
DATED : 08/12/2006

For the reasons separately recorded, criminal applications are allowed. Order of

discharge passed by the Additional Chief Metropolitan Magistrate, 47th Court, Esplanade, Mumbai in all the cases so far as respondent Nos.1 to 3 are concerned, is hereby set aside. Matter is remanded back to the Additional Chief Metropolitan Magistrate, who shall issue fresh notice to respondent Nos.1 to 3 and proceed to prosecute the respondents in accordance with law. Criminal revision applications are allowed in above terms.

V.M. KANADE J.